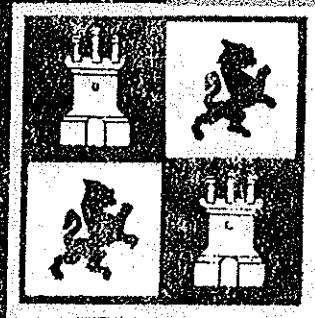


Oñate

Colonizer of New Mexico



1595-1628

*George P. Hammond
Agapito Rey*

Coronado Cuarto Centennial
Publications, 1540-1940

Edited by
GEORGE P. HAMMOND
The University of California



Volume VI

DON JUAN DE OÑATE
Colonizer of New Mexico

1595-1628

GEORGE P. HAMMOND *University of California*
AGAPITO REY *Indiana University*

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The University of New Mexico Press
1953

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TITLE OF HIDALGO FOR NEW MEXICO'S CONQUISTADORS, JULY 8, 1602¹

DON PHILIP, by the grace of God, king of Castile, León, . . . Whereas Viceroy Don Luis de Velasco, by virtue of a cedula from the king my lord (of glorious memory), made a contract with Don Juan de Oñate for the discovery, pacification, and colonization of the provinces of New Mexico in New Spain, granting him, among other things, what is stated in one of the chapters of the ordinances for new discoveries and settlements in the Indies, which is of the following tenor:²

"Those who pledge to establish settlements and have done so, fulfilling the terms of their contract, we name them and their legitimate descendants hidalgos of noble lineage in order to honor them and their descendants and so that they may leave a laudable memory as first settlers; and so that, in the towns they have established, or anywhere else in the Indies, they may be considered as hidalgos of noble lineage and may enjoy all the honors and prerogatives and act as do all other hidalgos and caballeros in the kingdoms of Castile, in accordance with the laws and customs of Spain."

And since I have been petitioned in behalf of Don Juan de Oñate to favor him by approving this cedula, rejecting the modifications made by the Count of Monterrey, I have deemed it proper, after consultation with the Council of the Indies, to extend the said privileges to those who may spend five years in the conquest, with the proviso that if the conquistadors should die in the said conquest before completing this period, their descendants may enjoy these prerogatives.

By these presents I order the observance of all the aforesaid rights, privileges, and exemptions, without abridging them in

1. From a photograph of the original in the Archivo General de Indias, *Audiencia de Guadalajara*, legajo 142; there is also a copy in the Archivo General de la Nación, Mexico, *Reales Cédulas*, tomo 4. It was printed in part in Gaspar de Villagrà, *Historia de la Nueva México*, vol. II (Mexico, 1900), pp. 6-8.

2. This is paragraph 99 of the ordinances of 1573.

TITLE OF HIDALGO

975

any detail, in accordance with the said paragraph. I charge the princes, prelates, dukes, marquises, counts, potentates, priors of orders; comendadores of military orders, castles, or fortresses; and members of my councils; the presidents, judges, alcaldes, and alguaciles in my courts and chanceries; my viceroys and governors; and all my magistrates and judges, in these kingdoms as well as in the Indies, islands, and terra firma of the ocean; and all other persons of whatever state, quality, or condition, I charge them all to observe and carry out this privilege, which I here grant the aforesaid persons, so that they may enjoy them without transgressing or infringing on what is contained in this decree; and my desire is that it have the force of law, as if it had been formulated and promulgated by the cortes, and that it be proclaimed in the suitable places. San Lorenzo, July 8, 1602. I THE KING. I, Juan de Ybarra, the king's secretary, copied it at his order. Registered, Gabriel de Ochoa. Councillors, LICENTIA TE LAGUNA. LICENTIA TE BLAS DE SOTOMAYOR. LICENTIA TE ARMENTEROS. DOCTOR EUGENIO DE SALAZAR. LICENTIA TE VILLAGUTIERRE. LICENTIA TE LUIS DE SALCEDO. CHANCELLOR SEBASTIÁN DE VEGA. [All with rubrics]

Marginal summary by the relator:

That the privileges granted by one of the paragraphs in the ordinance for new discoveries be understood to apply to those who spend five years in the conquest of New Mexico, with the proviso that if they should die before completing the five years, their children and descendants would be entitled to these honors.

In the city of Mexico, June 26, 1604, at a meeting of the audiencia of New Spain attended by the viceroy and the president and judges, Maese de Campo Vicente de Zaldívar presented this royal cedula and asked that it be enforced. After these gentlemen had examined the cedula they accepted it with due reverence and respect and decreed that it be observed as prescribed by his majesty, and that it be legally recorded; and they attached their rubrics. [Six rubrics] Before me, CRISTÓBAL SORIA. [Rubric]

Case: 6:69-cv-07941-BB

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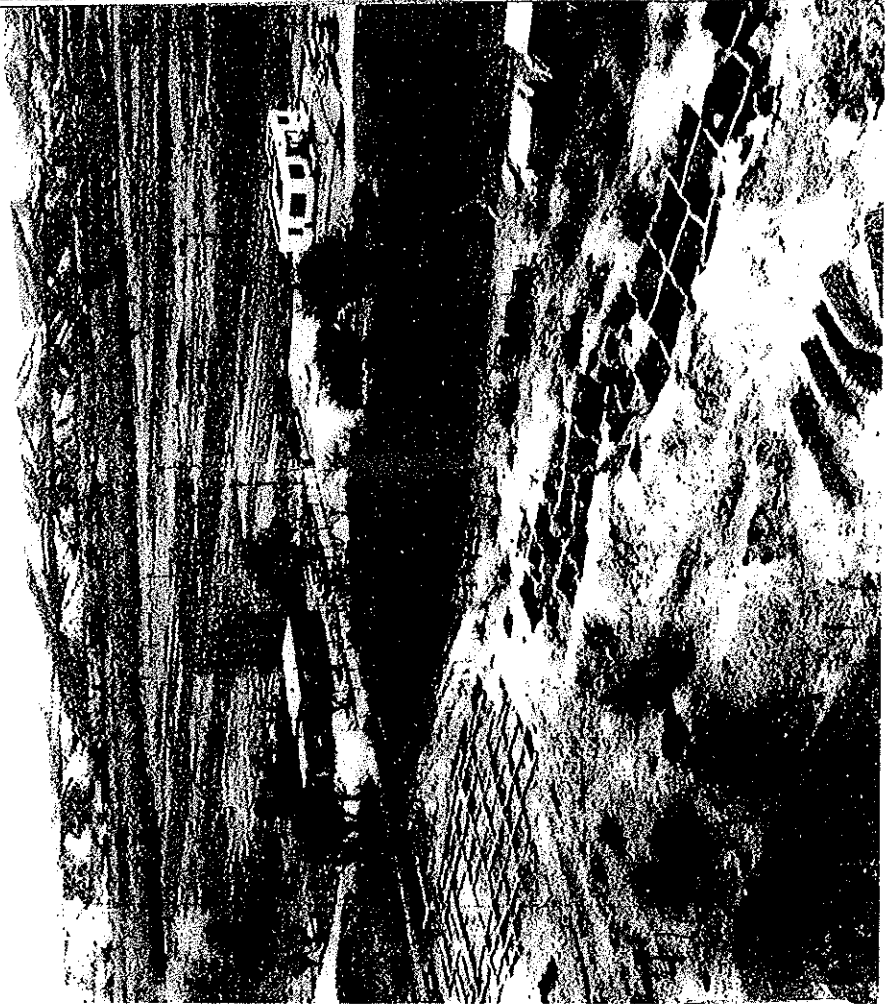
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- Statement by Historian Myra Ellen Jenkins, Jenkins, 1987, pg. 63), on location of San Gabriel and when it was established.

WHEN CULTURES MEET

REMEMBERING
SAN GABRIEL
DEL YUNGE OWEENGE

*Papers from the October 20, 1984 Conference
held at San Juan Pueblo, New Mexico*



*Sunstone Press thanks Marian Rodee, Curator of
Collections, Maxwell Museum of Anthropology,
for her assistance.*

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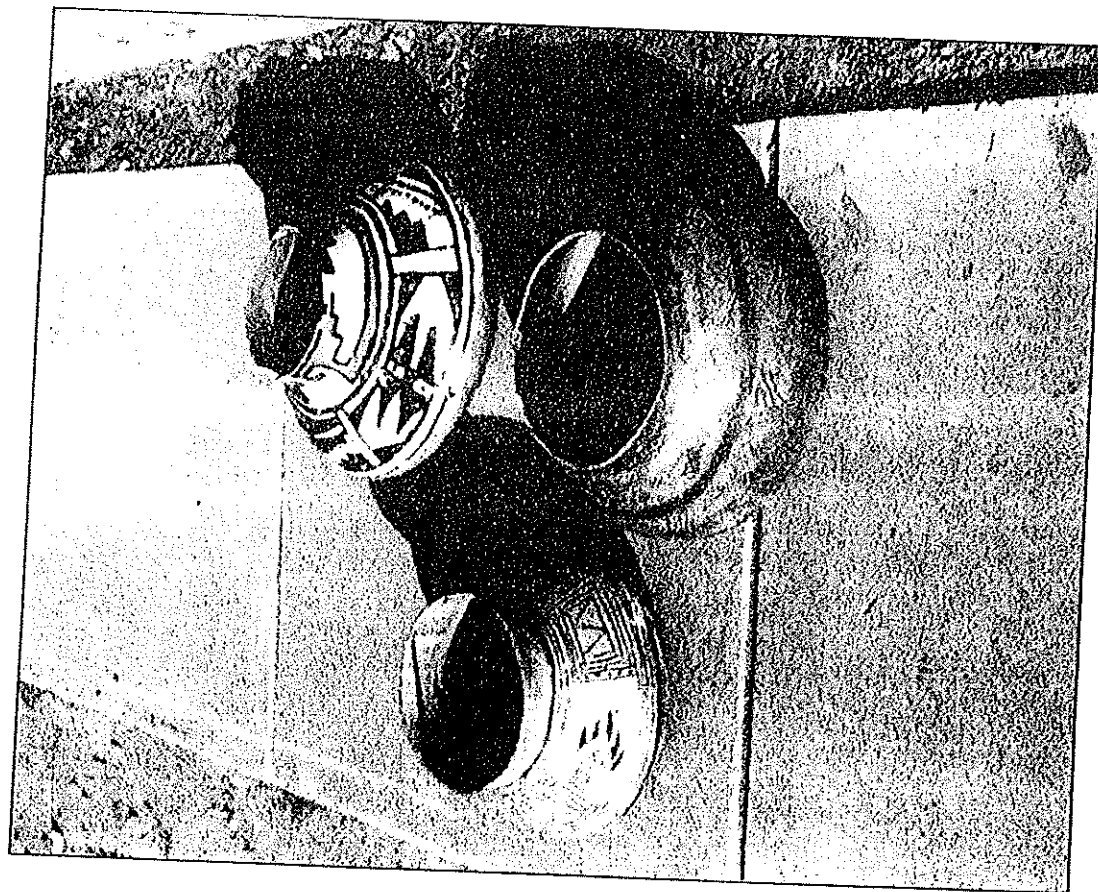
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ONATE'S ADMINISTRATION AND THE PUEBLO INDIANS

Myra Ellen Jenkins

The summer of 1598 was a momentous one in the history of New Mexico, especially for the original inhabitants whose land was being invaded, and particularly for the Pueblo of San Juan. On July 10, Juan de Onate, bearing the titles of governor and captain general, led an advance party of his colonizing expedition composed of officers, scouts and two Franciscan friars into the Pueblo which he called *Ohike*, then promptly renamed "San Juan Bautista," later called "San Juan de los Caballeros."¹ After stopping at many pueblos along the way he established this village as headquarters for the permanent settlement of the northern frontier. On August 18, he was joined by the main body of his 129-soldier colonists, many with their families, and eight additional Franciscans who had been proceeding at a slower rate up the Rio Grande valley, and then by way of the Galisteo through the Pueblo of San Marcos to avoid the rugged mountains. The expedition had often been in straits for food in spite of the largesse of some of the pueblos through which they had come. One of them, a Piro pueblo on the opposite side of the river from which the caravan had halted on June 14, they called "Socorro" (Help) "because it furnished us with much maize."²

There is some question as to where these colonists initially settled. Most secondary accounts say it was at San Juan Pueblo proper but that the settlement was moved to the west side of the Rio Grande into the Pueblo of Yunque, renamed San Gabriel, some time during the next few months.³ There is no mention of such a move having been made in the documents, however. I submit that the colonists were probably settled at San Gabriel from the beginning, although throughout 1599 Onate signed documents at San Juan Bautista, which he apparently designated as his personal headquarters. My basis for San Gabriel as the single settlement comes from two accounts, written in 1601 during an investigation of Onate's regime. In a letter to the viceroy dated from San Gabriel, March 22, 1601 Luis de Velasco stated that the expedition had been at the place from which he was writing for three years.⁴ In July a Gines de Herrera Horta also stated that Onate had established the colonists at San Gabriel in the houses of the Indians, but for which Spanish doors and windows were fashioned.⁵



Three whole Indian vessels dug up at Yungue

NOTES

1. George P. Hammond and Agapito Rey, *Don Juan de Onate, Colonizer of New Mexico, 1595-1628* (Albuquerque, 1953), I, p. 322. The name of "San Juan de los Caballeros" is given by Villagra writing some twelve years after the fact, but it does not appear in the contemporary documents. See: Gilberto Espinosa and F.W. Hodge, trans. and eds., *History of New Mexico by Gaspar Perez de Villagra* (Los Angeles; 1933), p. 147.
2. Hammond and Rey, *Don Juan de Onate*, I, p. 323.
3. *Ibid.*, pp. 17 and 609, fn. Although the editors make this statement in the introduction to their monumental work, no reference to a move is found in the documents which they include.
4. *Ibid.*, II, pp. 608-609.
5. *Ibid.*, II, pp. 644, 652.
6. *Ibid.*, I, pp. 5-16; 42-336.
7. Myra Ellen Jenkins, "Spanish Land Grants in the Tewa Area," *New Mexico Historical Review*, vol. 47 (1972), p. 113.
8. Leslie Byrd Simpson, *The Encomienda in New Spain* (Berkeley, 1950), p. 129.
9. *Ibid.*, p. 145; C.H. Haring, *The Spanish Empire in America* (New York, 1947), pp. 55-60; Lewis Hanke, *The Spanish Struggle for Justice in the Conquest of America* (Philadelphia, 1949), pp. 48-67.
10. Haring, *Spanish Empire*, pp. 64-68; Charles Gibson, *Spain in America* (New York, 1966), pp. 143-147.
11. *Recopilacion de leyes de los reynos de las Indias*. (Madrid, 1681), Book IV, title 12, law 5.
12. *Recop.* Book IV, title 12, law 14 and title 12, law 9.
13. *Recop.* Book IV, title 12, law 18.
14. Gibson, *Spain in America*, pp. 197-198; Henry W. Kelly, "Franciscan Missions of New Mexico, 1740-1760," NMHR, vol. 15 (1940), pp. 349-350.
15. "Ordenanzas de Su Magestad Hechas para laos Descubrimiento, Conquistas y Pacificaciones, Julio de 1573," *Coleccion de Documentos Ineditos Relativos al descubrimiento, Conquista Y Organizacion de Las Antiguas Posesiones Espanoles de America y Oceania Sacados de los Archivos del Reino . . .* (Madrid, 1871), vol. 16, pp. 142-187.
16. Hammond and Rey, *Don Juan de Onate*, I, p. 65.
17. *Ibid.*, pp. 342-347.
18. David H. Snow, "A Note on Encomienda Economics in Seventeenth Century New Mexico," in Marta Weigle, ed., *Hispanic Arts and Ethnohistory in the Southwest* (Santa Fe, 1983), p. 349.
19. Charles Wilson Hackett, ed., *Historical Documents Relating to New Mexico, Nueva Vizcaya, and Approaches Thereto, to 1773*, Collected by Adolph F. Bandelier and Fanny Bandelier (Washington, D.C.), vol. 3, p. 120.
20. Ordenanzas, 1573, p. 182.

strong pueblo, which would have been impossible had all the adults been placed in servitude.

During 1599 another punitive expedition, not quite as severe, was also launched against the Jumano Pueblo, located at present Gran Guivira monument, for which Onate was also later held to account.²⁶ Charges of seizure of supplies and illegal tribute and Indian labor were also levelled. In 1607 Onate resigned and returned to Mexico, only to face years of official investigation for his conduct in the residencia of his administration. When matters came to the actual trial in 1614 he was found guilty of twelve charges, one of which involved the hanging of two Acomas and another the undue severity of his sentences after the revolt was crushed. For these and offenses also against Spaniards he was condemned to perpetual exile from New Mexico, banishment from Mexico City itself for four years, loss of his titles and a whopping fine. Some of his lieutenants did not go unscathed either, and were also found guilty of crimes against Acoma, including Vicente de Zaldivar.²⁷

The interesting thing about the whole affair is that some Spaniards felt strongly enough about failure to abide by colonial legal processes to testify against a person with the status of Onate. As the 17th century wore along (and wore along is correct), other governors were even more lax in enforcing the ordinances and regulations, and the Franciscans also all too often forgot their instructions to convert with patience and gentleness and were responsible for attacks on native rites and religious leaders. The result was 1680 and the mass uprising of the pueblo peoples which forced the Spaniards into a 13-year exile. The reconquest by Diego de Vargas in 1693 was far from moderate and he, too, failed to observe many of the laws, especially those concerning land right. But after his two administrations, a real *modus vivendi* between Spaniard and Pueblo Indian developed and by and large, most laws were enforced when the pueblos took their cases against Spaniards directly to the authorities. Occupation and conquest are never without pain, whatever the outcome. Credit for finally evolving coexistence as a way of life in spite of all vicissitudes throughout the Colonial period belongs of course to both groups, Hispanic and Pueblo Indian.

Case: 6:69-cv-07941-BB

22

EXHIBIT

V

- Papers of Archaeological Institute of America, American Series IV, Final Report, Part II
 - by A. F. Bandelier
 - 1892

Papers of the Archaeological Institute of America.

AMERICAN SERIES.

IV.

FINAL REPORT

OF

INVESTIGATIONS AMONG THE INDIANS OF THE
SOUTHWESTERN UNITED STATES, CARRIED ON
MAINLY IN THE YEARS FROM 1880 TO 1885.

PART II.

BY

A. F. BANDELIER.



CAMBRIDGE:
PRINTED BY JOHN WILSON AND SON.
University Press.
1892.

42. 17

INVESTIGATIONS IN THE SOUTHWEST. 59

resemble the description which Gaspar Perez de Villagran has given of the village.¹ The valley of Chamita is fertile. Situated between the Chama of the west and the Rio Grande on the east, it enjoys exceptional facilities for irrigation. For a ground plan of the ruin, I refer to Figure 10 of Plate I. Some protruding walls show that unhewn stones and rubble laid in adobe mortar entered largely into the composition of the structure. Whether the quadrangle on which a number of modern adobe houses stand to-day constituted all the village, or whether there were buildings besides, is difficult to determine, since fields extend all around the ruins. Cultivation by the Indians of San Juan, as well as by Mexicans, has obliterated every indication that might have existed formerly. The same has happened with the Spanish abodes and with the chapel of San Gabriel erected there in the fall of 1598.² All has disappeared; yet the tradition exists that at Chamita the first settlement of

¹ *Historia de la Nueva Mexico*, 1610 (Canto xxvii. fol. 228) : —

"El Pueblo, no constaua ni tenia,
Mas que vna sola plaça bien quadrada,
Con quatro entradas solas culos puestos,
Despues de auerlos bien fortalecido,
Con tiros de campaña, y con mosquetes."

That the village had at least two, perhaps three stories, is also indicated in the same book (fol. 228 and 229) : —

"Al arma dando todos con gran priessa,
Requirieron los puestos, y notaron,
Que estaban ya los altos de las casas,"

Also : —

"Los techos y terrados levantados."

² Oñate, *Discurso de las Jornadas que hizo el Campo de su Magestad desde la Nueva España á la Provincia de la Nueva Mexico* (Doc. de Indias, vol. xvi. pp. 262-264). September 8th : "Dia de Nuestra Señora, fue la gran fiesta de la dedicacion de la dicha Yglesia de Sant Joan Baptista." *Obediencia y Vasallaje de San Juan Baptista* (Ibid., p. 116) : "Y este pueblo do Sant Joan Baptista y el de San Gabriel el de Troomaxiaquino . . . y mas, la Cibdad de Sant Francisco de los Españoles, que al presente se edifican." [This might indicate that it was Oñate's intention to call the new settlement San Francisco. But it is

whites in New Mexico took place, and very old people still remember that the site was formerly called "San Gabriel del Yunque."¹

Indian folk-lore has much to say about Yuge-uingge. The Tehuas relate that when their ancestors journeyed southward from Cibobe, and the division into summer and winter people occurred, of which I have spoken in the First Part of this Report,² the summer people, under the guidance of the Pay-oj-ke or Po-a-tuyo, settled at Yuge-uingge;

→ abundantly proved that its patron saint was San Gabriel from the very beginning. ←
Zaldivar, *Memorial* (Ibid., p. 198): "Parece que con este aparato entro hasta el asiento y Villa de San Gabriel." Zaldivar was an eyewitness. Torquemada, *Monarchia* (vol. I. p. 672): "Despachados Don Juan de Oñate, y los suyos, para la jornada del Nuevo Mexico, siguieron su camino, en demanda de aquellas tierras, y en llegando á aquellas partes, tomaron posesion, por el Rei, en ellas, y el Pueblo donde Don Juan de Oñate, Gobernador, y Capitan General de esta entrada, hizo asiento y puso su Real, se llama San Gabriel, el qual sitio está en treinta y siete grados de altura al Norte, y está situado entre dos rios, y con las aguas del menor de los dos, se riegan los trigos, cevada, y maiz. . . . El otro río es grande, que llaman del Norte, que es de mucho, y mui buen pescado."

→ Torquemada wrote not later than 1609 (*Carta Nuncupatoria*, Ibid.), and he was ←
a contemporary of the events. He adds, on page 678: "Ya hemos dicho, que el lugar principal donde el Gobernador Don Juan de Oñate hizo su Poblacion, y sentó su Real, le puso por nombre San Gabriel . . . y que tiene por vanda dos rios, vno de los quales es de menos agua, que el otro." The same author also publishes a letter from Fray Juan de Escalona, dated "De este Convento de San Gabriel de el Nuevo Mexico, á primero de Octubre de mil seiscientos y vn años." *Carta de Relacion*, p. 675. I have in my possession the copy of a document (*Peticion de los Pobladores de la Villa de San Gabriel*, MS.), executed at San Gabriel in December, 1604, which begins as follows: "Cava de Sn Gabriel de la Nueva Mexico." Fray Gerónimo de Zárate Salmeron, *Relaciones de Todas las Cosas*, MS., par. 34: "Plantó su real entre este rio y el de Zama." Par. 44: "Año de 1604, á 7 dias del mes de Octubre, salió D. U. de Oñate de la villa de Sn Gabriel á descubrir la mar del Sur." Lastly, Vetancurt, in speaking of the pueblo of San Juan, says (*Crónica de la Provincia del Santo Evangelio de México*, p. 318): "Desde allí se ven los edificios de San Gabriel, primera fundacion de que se pasó á Santa Fé, á la otra parte del rio."

¹ Yunque is but a contraction of Yuge-uingge. Escalante says, in *Carta al Padre Morfi*, par. 2: "Una Villa de Españoles, que era de San Gabriel del Yunque, primero y despues de Santa Fé."

² Part I. of this Report, p. 303.

Case: 6:69-cv-07941-BB

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Case: 6:69-cv-07941-BB

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EXHIBIT X

- Don Juan Onate received Title of Adelantado on February 7, 1602.

NOTICIAS

HISTORICAS Y ESTADISTICAS

DE LA ANTICUA PROVINCIA DEL

NUÉVO-MÉXICO,

presentadas por su diputado en cortes



EN CADIZ EL AÑO DE 1812.

Añadidas por el Lic. D. Antonio Barreiro en
1839; y últimamente anotadas por el Lic.

DON JOSÉ AGUSTIN DE ESCUDERO,

PARA LA COMISION DE ESTADISTICA MILITAR

DE LA

XXXXXXXXXXXXXX

Para más y mejor se aconseja
de lo que faltar al edición, pero
sin tener en cuenta que tiene
a la imprenta y a la de lo que
se ve - Ma. de BOGALINTE.



MÉXICO.

IMPRENTA DE LARA, CALLE DE LA PALMA NUM. 4.

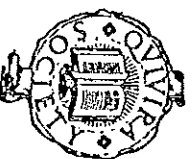
1849.

THREE NEW MEXICO CHRONICLES

The *Exposición* of Don Pedro Bautista Pino
1812; the *Ojeada* of Lic. Antonio Barreiro
1832; and the additions by Don José
Agustín de Escudero, 1849

*Translated, with Introduction
and Notes, by*

H. BAILEY CARROLL
J. VILLASANA Haggard



THE QUIVIRA SOCIETY
ALBUQUERQUE

1942

First Published by
THE QUIVIRA SOCIETY
1942

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Republished by
Arno Press
1967

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Library of Congress Catalog Card
Number: 67-24722

•

Manufactured in the U.S.A.
Arno Press Inc.
New York

To
CONCHA ORTIZ y PINO
Distinguished, public-spirited citizen—
direct descendant of
Don Pedro Bautista Pino

129000

thousand *ducados* to aid him in the expenses of the undertaking, and a loan of six thousand more from the royal treasury. On September 30, the agreements were finally drawn up. Previously, it seemed that Captain Francisco de Urdinola⁶⁸ had attempted to make such arrangements, but that they were never concluded. Since Don Luis had left office, his successor, the viceroy, the Count of Monte Rey,⁶⁹ sent Don Juan de Oñate on this expedition.

"He took with him to instruct the natives some missionaries of the order of Saint Francis, with Fray Rodrigo Durán as commissary. Later on, Fray Alonso Martínez followed with others. Oñate reached New Mexico and established a settlement; he took possession thereof for his Catholic majesty, the king, our lord, and established his camp in a pueblo, the name of which was changed to San Gabriel.⁷⁰ It was located on the 30th parallel of north latitude between two rivers. The missionaries immediately established a monastery there, and, by the year 1600, they had baptized eight thousand souls. The district of these provinces begins 200 leagues beyond the valley of Santa Bárbara, the last town of New Spain. This district is 400 leagues from Mexico, and 800 leagues from Havana by way of Mexico. It is more than 2,600 leagues from Madrid, the capital. Because of the good work of Don Juan de Oñate, and in order to encourage him to continue with his plans, his majesty, our king, Philip III⁷¹ (may he rest in peace), on February 7, 1602, honored him with the title of *adelantado*⁷² of these provinces (although he was already governor and captain general of them) for himself and his son or heir. In the year 1608, his majesty appointed another governor, with a salary of 2,000 *ducados*, who resides in the villa of Santa Fe,⁷³ the capital of this kingdom.

"Between the years of 1621 and 1631, the order of Saint Francis proposed that his majesty erect a cathedral

with a bishop in these provinces, for, by 1631, more than 500,000 Indians had been converted, and more than 86,000 baptized. Fifty missionaries of this order assisted in instructing and converting them. From the first discovery of these provinces up to that time there had been neither missionaries nor any other ecclesiastics, nor any clerics to undertake this apostolic mission. There were 150 pueblos of Indians, and in each there was a church where mass was celebrated and the holy sacraments were administered with the vigilance and care characteristic of this holy order. By that time a goodly sized villa of Spaniards had been established with estancias and haciendas belonging to its people. The land where natives had been converted to our holy faith comprised more than 400 leagues. On the way thereto from Mexico, it was necessary to spend many days, traveling among innumerable enemies, with great risk and discomfort.

"In view of these facts, that same year, 1631, his majesty ordered the archbishop and viceroy to make a report upon the advisability of constructing a cathedral. Although the report was made, it was not deemed convenient to establish the cathedral until the kingdom was more advanced and more peaceful. Despite the fact that up to the year 1627 thirty Franciscan missionaries, of exemplary character, had been sent from the province of the Holy Gospel of Mexico to convert and pacify the Indians, and despite the fact that since then many others have continued to be sent at the expense of the royal treasury, in 1644⁷⁴ the natives became so discontented that they killed the governor.

"In the year 1645, there were twenty-five *doctrinas* of the order of Saint Francis with sixty friars, who continued with apostolic fervor to instruct and teach these Indians. His majesty appropriated to the order more than 42,000 pesos annually in order to maintain the members